

The Law Offices of Jacob Aronauer

December 28, 2022

Via ECF

Hon. Ona Wang

Re: Canela v. JMF Restaurant Corp. et al.
22-cv-08587 (RA) (OTW)

Your Honor:

This office represents Plaintiff in the above captioned matter. The purpose of this letter is two-fold. First, for the Court to order an initial case conference so that the parties can commence discovery. Second, I am requesting sanctions to be issued against Defendants.

Today was the scheduled mediation. The basis of the request is for the failure of Defendants to have the named individual Defendant Jose Pablot Tobon-Olguin attend the scheduled mediation. Instead, Defendants had his wife attend the mediation who they claim has settlement authority. Prior to the mediation, Defendants did not request permission from the Court. In addition, prior to the mediation Defendants did not inform Plaintiff or the mediator that they were not going to have the individual Defendant attend. Obviously if they had done so I would have opposed, and the Court could have issued a ruling.

Local Civil Rule 83.9 states that the parties and counsel are required to meet at the mediation. Defendants' failure to abide by this rule is a direct violation.

The actions of Defendants are disrespectful to the mediator's time, my time and my client's time (who took the day off from work to attend). The time spent preparing for the mediation was wasted and I blocked out the day to attend.

I am specifically requesting that the Court not order a subsequent mediation. Based upon the prior actions of Defendants I do not believe it would be fruitful. Plaintiff wants to move forward with the case.

Respectfully,

/s Jacob Aronauer
Jacob Aronauer

Via ECF

All attorneys on record